

Office Action is attached as Exhibit B. Therefore, Applicants respectfully submit that this reference qualifies for consideration under 37 C.F.R. § 1.97(d)(1).

Pursuant to 37 C.F.R. § 1.97(d)(2) and 37 C.F.R. § 1.17(p), Applicants enclose a Credit Card Payment Form in the amount of \$180 for fee purposes. If the Office determines that additional fees are required, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Applicants respectfully request that the Examiner consider the listed references in connection with this application and return to Applicants a copy of the initialed Form PTO-1449.

Respectfully submitted,



Gregory W. Warren

Agent for Applicants

Reg. No. 48,385

Phone: (919) 541-8646

Fax: (919) 541-8689

Syngenta Biotechnology Inc.

Patent Department

P.O. Box 12257

Research Triangle Park, NC 27709-2257

Date: August 3, 2007

Warren Greg USRE

From: Lee Michael GBJH
Sent: Thursday, July 26, 2007 11:56 AM
To: Warren Greg USRE
Subject: Case 70159/US - IDS required

Hi Greg,

The Indian patent office has cited some new prior art against case 70159. Please can you file an IDS for the corresponding US case at the USPTO?


- Umbeck P *et al.* (1987) "Genetically transformed cotton plants". BioTechnology 5(3), pages 263-266.
- Rothstein SJ *et al.* (1997) "Promoter cassettes, antibiotic resistance genes, and vectors for plant transformation". Gene 53(2-3), pages 153-161.
- Rajgure *et al.* "Assessment of resistance to baceo acid worm" 1998, Proceeding Beltwide Cotton Conferences, Sandiego, California, 5-9 Jan 1998
- EP-0142924

Many thanks,
Michael

Michael Lee
Patent Attorney
Intellectual Property Department
Syngenta Limited
Jealott's Hill International Research Centre
Bracknell RG42 6EY
UK

telephone +44 (0)1344 414736
fax +44 (0)1344 481112

NEW EMAIL ADDRESS: michael.lee@syngenta.com

 <p>INTELLECTUAL PROPERTY INDIA Patents/Designs/Trademark GEOGRAPHICAL INDICATIONS</p>	<p>GOVERNMENT OF INDIA MINISTRY OF COMMERCE & INDUSTRY DEPTT. OF INDUSTRIAL, POLICY & PROMOTION THE PATENT OFFICE BOUDHIK SAMPADA BHAWAN PLOT NO. 32, SECTOR - 14, DWARKA NEW DELHI - 110 075. E-mail : delhi-patent@nic.in Website: www.ipindia.nic.in www.ipindia.gov.in</p>	<p>Tele: 28081922 - 26 Fax: 28081920 28081940</p>
--	--	---

No : 1106/DELNP/2005

Dated the:

To

REMFERY & SAGAR,
REMFERY HOUSE MILLENNIUM
PLAZA SECTOR 27,
GURGAON 122002,

14 MAY 2007

Sub: - Patent Application No. 1106/DELNP/2005
Name of Application: - Syngenta Participations AG.

Sir,

I am to invite a reference to your letter dated 19/12/2006 and to intimate as under: -

1. The submission given regarding the first para of the objection letter is not satisfactory. The explanation regarding the objection is not given in context to references cited. Therefore the objection still stands.
2. Claims are not clear in respect of expression "Method of detecting plant material derived from-----"
3. Claims lack in novelty in view of documents 1. WO-96 10083, 2. WO-02 078437 & 3. WO-98 44137.
4. Claims also lack in inventive step in view of cited documents under section 2(1)(ja) of Patent Act, 1970.
 - a). Biotechnology, Band 5, Nr 3, 1987 seiten 263-66 "Genetically transformed cotton plants"
 - b). Rajgure S.N. et al "Assessment of resistance---to baceo Acid worm". 1998 proceeding Beltwide cotton conferences, San Diego, California 5-9 Jan 1998. PP490-91.
 - c). WO-02 078437.
5. Abstract filed is not satisfactory.
6. Title is not satisfactory.

Last Date for putting the application in order for grant will expire on 06/11/2007.

The marginally noted documents are returned herewith.

Sweta
(Sweta Rajkumar)

Examiner of Patents & Designs
For Asstt. Controller of Patents & Designs.

Encl: -

1. Application Form.
2. Complete specification.